

The Gazette



of India

PUBLISHED BY AUTHORITY

No. 17] NEW DELHI, SATURDAY, APRIL 28, 1951

NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 25th April 1951 :—

Issue No.	No. and Date	Issued by	Subject
55	S. R. O. 577, dated the 19th April 1951.	Ministry of Commerce and Industry.	Fixation of maximum prices for certain varieties of caustic soda.
	S. R. O. 578, dated the 19th April 1951.	Ditto.	Amendment made in the Notification No. S R. O. 66, dated the 15th January 1951.
56	S. R. O. 579, dated the 21st April 1951.	Ditto.	Fixation of maximum price of certain goods specified in the Schedule.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi, the 21st April 1951

S.R.O. 582.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends the Punjab Tenants (Security of Tenure) Act, 1950 (Punjab Act XXII of 1950) to the State of Delhi (Excluding the territory specified in Schedule I to the Delhi Laws Act, 1915), subject to the following modifications, namely:—

In the said Act—

(1) For the words 'the Punjab' or 'the State of Punjab' wherever they occur, the words 'the State of Delhi' shall be substituted and for the words 'State Government' wherever they occur the words 'Chief Commissioner' shall be substituted.

(2) References to any enactment shall be construed as references to that enactment as applied to the State of Delhi.

(3) Sub-section (3) of section 1 shall be omitted.

(4) In section 2:—

(a) in clause (1) the words, brackets letters and figures 'and shall include an "allottee" and "Lesser" as defined in clauses (d) and (e) respectively of section 2 of the East Punjab Displaced Persons (Land Resettlement) Act, 1949' shall be omitted;

(b) after clause (4) the following clause shall be inserted, namely:—

(4A) 'State of Delhi' does not include the territories specified in Schedule 1 to the Delhi Laws Act, 1915;

(c) in clause (5), sub-clause (iii) shall be omitted.

(5) In sub-section (2) of section 5, for the word and figures '16th June, 1950' the word and figures '16th April, 1951' shall be substituted.

(6) In section 6,—

(a) in clause (ii) for the word and figures '30th October, 1950' the word and figures '16th November, 1951' shall be substituted;

(b) in clauses (iv) and (v) for the word and figures '15th June, 1950' the word and figures '15th May, 1951', shall be substituted.

(7) In section 10, for the word and figures '1st May, 1950' the word and figures '16th April, 1951' shall be substituted.

(8) For section 14, the following section shall be substituted, namely:—

'14. Where a tenant who was ejected before the commencement of this Act on any grounds other than those specified in section 6 had made an application against the decree or order of ejectment within a period of 30 days from such decree or order to the court or officer passing the decree or order of ejectment and such application is pending at the commencement of this Act, the tenant shall, subject to the provisions of this Act, be put in possession of the land on the same terms and conditions on which he held the land at the time of his ejectment.'

(9) In sub-section (2) of section 16,—

(a) the words 'Custodian of Evacuee Property' shall be omitted;

(b) for the word 'their' the word 'its' shall be substituted.

(10) Section 18 shall be omitted.

2. The text of the said Act as modified is published as an annexure to this notification.

ANNEXURE

THE PUNJAB TENANTS (SECURITY OF TENURE) ACT, 1950

(Act XXII of 1950)

An Act to provide for the security of tenure to tenants.

It is hereby enacted as follows—

1. **Short title, commencement, extent and application.**—(1) This Act may be called the Punjab Tenants (Security of Tenure) Act, 1950.

(2) It shall come into force at once.

(4) It shall apply to the entire land held in Delhi by a landowner, except—

(i) the land held by an occupancy tenant;

(ii) the land reserved under the provisions of this Act; or

(iii) if such land, excluding the land held by an occupancy tenant, in aggregate area, does not exceed the permissible limit.

2. **Definitions.**—In this Act, unless there is anything repugnant to the subject or context,—

(1) "landowner" means a person defined as such in the Punjab Land Revenue Act, 1887, as applied to Delhi;

(2) "prescribed" means prescribed by rules made by the Chief Commissioner under this Act;

(3) "permissible limit" means 100 standard acres of land other than the land occupied by an occupancy tenant, and, where such 100 standard acres on being converted into ordinary acres, exceed 200 acres, such 200 ordinary acres;

Explanation.—For the purpose of ascertaining the permissible limit, it is immaterial whether land is entered in the record of rights in the name of a landowner

as an individual or as a shareholder in a joint holding, so long as the area which he is entitled to hold can be ascertained on the basis of the record aforesaid.

- (4) "standard acre" is a measure of area convertible, with reference to the quantity of yield and quality of soil, into ordinary acre of any class of land, according to the prescribed scale;
- (4A) "State of Delhi" does not include territories specified in Schedule I to the Delhi Laws Act, 1915.
- (5) "tenant" has the meaning assigned to it in the Punjab Tenancy Act, 1887 (XVI of 1887), as applied to Delhi, but does not include—
 - (i) a person having a right of occupancy;
 - (ii) a person who holds land for a fixed term of not less than 4 years under a contract or a decree or an order of competent authority, while such contract, decree or order is in force; and
- (6) "year" means agricultural year as defined in section 4 of the Punjab Tenancy Act, 1887 (XVI of 1887), as applied to Delhi.
- (7) "land" and other terms used and not defined in this Act shall have the meaning assigned to them in the Punjab Tenancy Act, 1887, as applied to Delhi or the Punjab Land Revenue Act, 1887 (XVI of 1887, XVII of 1887), as applied to Delhi.

3. Resolution of land.—(1) Any landowner who has land in excess of the permissible limit may select for self cultivation, out of his entire land in the State of Delhi held by him as landowner, any parcel or parcels not exceeding, in aggregate area, the permissible limit and reserve it by intimating his selection in the prescribed form and manner to the patwari of the estate in which the land reserved is situate or to such other authority as may be prescribed:

Provided that in making this selection, he shall include, to the extent of the permissible limit, whatever self cultivated land he has in his possession.

(2) Where in respect of any land more than one person can be classed as landowners, as in the case of persons one of whom is a landowner in principal and the other in a derivative capacity, the aforesaid right of reservation shall be exercised by the landowner who receives or is entitled to receive rent directly from the tenant in actual cultivation of the land.

(3) The right to reserve shall cease if it is not exercised within a year from the date of commencement of this Act; and no selection intimated under sub-section (1) shall be varied subsequently or the right to reserve be exercised subsequent to the commencement of the tenancy, whether by act of parties or by operation of law, save with the consent in writing of the tenant affected by such variation or until such time as the right to eject such tenant otherwise accrues under the provisions of this Act.

(4) If the landlord who has made his reservation under sub-section (1) fails, without sufficient cause, to bring the land under self-cultivation within one year from the date of intimation, the ejected tenant, if any, shall, on application, be restored to possession of the land on the same terms and conditions on which it was held by him at the time of ejectment.

4. Restrictions pending reservation.—Where the whole or any portion of the land intended to be reserved under section 3 under a tenant, such tenant shall not, save in accordance with or under the provisions of this Act, be ejected therefrom until the landowner intimates to the patwari or the prescribed authority the reservation by him of such land.

5. Minimum period of tenancy.—(1) Notwithstanding anything contained in the Punjab Tenancy Act, 1887, as applied to Delhi, or in any law, for the time being in force, and except as provided in section 6, no tenancy in respect of any land shall be for a period of less than four years:

(2) Such period in the case of a tenant already in possession and not liable to ejectment, or to whom possession is restored under section 14, shall, in the first instance, commence from the 16th April, 1951.

6. Exceptions.—Nothing contained in section 5 shall apply in the case of a tenant—

- (i) who fails to pay rent regularly without sufficient cause; or
- (ii) who is in arrear of rent at the commencement of this Act and does not pay such arrear, as is legally recoverable, before the 16th November 1951; or

- (iii) who, where the rent is payable in kind, has failed or fails, without sufficient cause, to cultivate or arrange for cultivation of the land comprised in his tenancy in the manner or to the extent customary in the locality in which the land is situate; or
- (iv) who, after the 15th May, 1951, has used the land comprised in his tenancy in a manner which has rendered, or renders, it unfit for the purpose for which he holds it; or
- (v) who, after the 15th May, 1951, sublets the holding or a part thereof without the consent in writing of the landowner; or
- (vi) who, refuses to execute a Kabullyat in respect of land he desires to hold under the provisions of this Act, agreeing to pay rent at a rate settled between him and the landowner, or the customary rent prevalent in respect of such land in the Tehsil in which the land is situate.

Explanation.—For the purpose of clause (i), a tenant shall be deemed to pay or to have paid rent regularly—

- (a) where rent is payable in kind; if he pays it either at the thrashing floor or where, according to nature of the crop or custom of the locality, it is payable on any other date; or
- (b) where rent is payable in cash if he pays it on or before the date on which it falls due.

7. Amount of rent.—Notwithstanding anything contained in the Punjab Tenancy Act, 1887 (XVI of 1887), as applied to Delhi, the rent payable under the provisions of this Act shall be such as has been agreed to in writing between the landowner and the tenant and, in the absence of any such agreement, the customary rent prevalent in the Tehsil in which the land is situate.

8. Furnishing of receipts.—(1) Every landowner shall, on demand, give, or cause to be given, a valid receipt for the rent received by him or on his behalf.

(2) Any landowner who fails to comply with the provisions of sub-section (1), shall, on conviction, be punished with fine which may extend to one hundred rupees.

9. Holding over.—Where any tenant has, at the expiration of the period of tenancy as specified in section 5, been allowed to hold over, his tenancy shall be deemed to have been renewed for a further period of four years commencing from the date of its expiration, on the same terms and conditions as were attached to the tenancy of which the period has expired.

10. Effect of transfer.—Subject to the provisions of sections 11 and 12, and save in the case of lands acquired under any law for the time being in force, every transfer or other disposition of land, whether by act of parties or by operation of law or by or in execution of a decree, unless duly completed or deemed to have been completed before the 16th April 1951, shall be void and unenforceable in so far as it tends to reduce or has the effect of reducing the minimum period of tenancy hereinbefore specified.

11. Saving of bona fide sale.—Nothing contained in section 10 shall apply to a sale made, or intended to be made, in good faith; and any tenant of the land which is the subject matter of such sale shall, unless the unexpired period of his tenancy fixed by or under the provisions of this Act is accepted by the vendee, be liable to ejectment under the provisions of the Punjab Tenancy Act, 1887 (XVI of 1887), as applied to Delhi, as if he were a tenant from year to year:

Provided that, where the tenant is not accepted by the vendee, the tenant shall, subject to the rights of other preemptors as provided in the Punjab Pre-emption Act, 1913, as applied to Delhi, be entitled to pre-empt the sale in the manner prescribed therein, and Section 15 of the said Act shall be deemed to be amended accordingly.

12. Alternative procedure in case of intended sale.—(1) Where, under the provisions of Section 11, a landowner seeks to have his tenant ejected before the completion of a sale he may, at any time, intimate in writing to the Revenue Officer, within whose jurisdiction the land is situate and who is competent to order ejectment of the tenant, his intention to sell, giving full particulars of the land, the name of the intending purchaser, the price offered and a copy of the agreement to sell.

(2) The intimation referred to in sub-section (1) shall, subject to the proviso to section 11 aforesaid, be treated as an application for ejectment and disposed of accordingly.

) Where the landowner who has secured ejectment of a tenant for the purpose mentioned in sub-section (1) fails to get the sale completed by the 15th of August following the date of ejectment, he shall, on conviction, be punished with fine which may extend to two hundred rupees per acre of the land from which the tenant has been ejected.

(4) The court shall, when passing sentence of fine under sub-section (3), order the whole or any part of the fine recovered to be paid as compensation to the tenant so ejected.

(5) Notwithstanding the receipt by a tenant of any compensation payable under sub-section (4), the tenant shall be entitled to retain for the unexpired portion of this tenancy possession of—

- (i) where the vendee owned more than 50 standard acres prior to such sale, the entire area sold;
- (ii) where the area of the land sold together with that owned by the vendee prior to the sale exceeds 50 standard acres, the area so exceeding; and
- (iii) where the area of the land sold exceeds 50 standard acres and the vendee owns no land, that area which is in excess of 50 standard acres.

NOTE.—In cases arising under (ii) and (iii) above, the vendee shall have the right to select the area to be retained by the tenant.

13. Operation of pending decrees and notices of ejectment.—No decree passed in favour, or notice of ejectment issued at the instance, of a landowner, which remains unexecuted or uncomplied with before the commencement of this Act, shall be executed or complied with save to the extent to which such execution or compliance is not inconsistent with or is in furtherance of the provisions of this Act.

14. Restoration of certain dispossessed tenants.—A tenant, who was ejected between the 1st and the 13th of May 1950, on one or more grounds other than those specified in section 6 and had applied within 30 days of the last date aforesaid to the court or officer passing the decree or order of ejectment and such application is pending shall, subject to the provisions of this Act, be put in possession of the land on the same terms and conditions on which he held the land at the time of his ejectment.

15. Procedure.—Subject to the provisions, and for the purposes, of this Act, the procedure for ejectment of a tenant shall be the same as provided in the Punjab Tenancy Act, 1887 (XVI of 1887), as applied to Delhi, for ejectment of a tenant from year to year, and the provisions of sections 80 to 84 of that Act in the matters of appeals, review and revision shall, in so far as they are applicable, apply to such proceedings under or in relation to this Act.

16. Bar of Jurisdiction.—(1) Except as provided in this Act or in the Punjab Tenancy Act, 1887 (XVI of 1887), as applied to Delhi, or the Code of Criminal Procedure, 1898 (V of 1898), no proceedings or order taken or made under this Act shall be called in question by any court or before any officer or authority.

(2) No suit, prosecution or other legal proceedings shall lie against the Government or any person acting under its directions in respect of anything done or purported to have been done in pursuance of this Act.

17. Rules.—The Chief Commissioner may, by notification, make rules for carrying out the purposes of this Act.

[No. 20/1/51-Judicial.]

New Delhi, the 24th April 1951

S.R.O. 583.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, and in supersession of the notification of the Government of India in the late Home Department No. 202/37-1, dated the 8th November 1939, the President hereby entrusts to the Governments of Part A States specified in column 1 of the Schedule hereto annexed, with their consent, the functions of the Central Government under—

- (a) sections 4, 5, 17 to 21, and 30 of the official Trustees Act, 1913 (II of 1913), and
- (b) sections 3, 4, 27, 32, 42 to 47, and 50 of the Administrator General's Act, 1913 (III of 1913),

in relation to the Part C State or Part C States specified in the corresponding entry in column 2 of the said Schedule.

THE SCHEDULE

PART A STATES

1.

PART C STATES

2.

1. Assam.	Manipur; Tripura.
2. Bombay	Kutch.
3. Madhya Pradesh.	Bhopal.
4. Madras.	Coorg.
5. Punjab.	Delhi; Himachal Pradesh;
	Bilaspur
6. Uttar Pradesh.	Ajmer; Vindhya Pradesh.
7. West Bengal.	Andaman and Nicobar Islands.

[9/1/48-Judicial.]

E. C. GAYNOR, Dy. Secy.

MINISTRY OF STATES

New Delhi, the 20th April 1951

S.R.O. 584.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Himachal Pradesh the Punjab Fisheries Act, 1914 (Punjab Act II of 1914), as at present in force in the State of Punjab, subject to the following modifications, namely:—

- (1) Throughout the Act, except in section 7, for the words "Provincial Government", the words "Chief Commissioner" shall be substituted.
- (2) Throughout the Act, except in the Short title, for the word "Punjab" the words "Himachal Pradesh" shall be substituted.

ANNEXURE

II. THE PUNJAB FISHERIES ACT, 1914.

PUNJAB ACT No. II OF 1914.

An Act to extend the Law relating to Fisheries in the Himachal Pradesh.

WHEREAS it is expedient to extend the Law relating to Fisheries in the Himachal Pradesh.

It is hereby enacted as follows:—

1. *Title and extent.*—(1) This Act may be called the Punjab Fisheries Act, 1914.

(2) It extends to the whole of the Himachal Pradesh.

2. *Meaning of terms.*—In this Act and the Rules thereunder unless there is something repugnant in the subject or context, the expressions "fish" and "private water" shall have the meanings assigned to them in section 3 of the Indian Fisheries Act, 1897 (India Act, IV of 1897).

2-A. *Definitions.*—In this Act, unless there is anything repugnant in the subject or context—

- (1) "Fishery Officer" means any person whom the Chief Commissioner or any officer empowered by the Chief Commissioner in this behalf may from time to time appoint by name, or as holding an office, to carry out all or any of the purposes of this Act or to do

anything required by this Act or any rule made thereunder to be done by a Fishery Officer:

Provided that no police officer below the rank of Sub-Inspector shall be so empowered.

(2) "Fishing offence" means an offence punishable under this Act or under any rule made thereunder.

3. *Prohibition and licensing of fishing in selected waters by rules of Chief Commissioner.*—(1) The Chief Commissioner may make rules for the purposes hereinafter in this section mentioned, and, shall in such rules declare the waters, not being private waters, to which all or any of them shall apply.

(2) The Chief Commissioner may by notification apply such rules or any of them to any private water with the consent in writing of the owner thereof and of all persons having for the time being any exclusive right of fishery therein.

(3) Such rules may—

(a) prohibit fishing except under licence and regulate the granting of such licences, the fees payable therefor, and the conditions to be inserted therein;

(b) prescribe seasons in which the killing of any fish of any prescribed species shall be prohibited; and

(c) prescribe a minimum size or weight below which no fish of any prescribed species shall be killed.

(4) In making any rule under this section the Chief Commissioner may provide for—

(a) the seizure, forfeiture and removal of any apparatus erected or used for fishing in contravention of the rules, and

(b) the forfeiture of any fish taken by means of any such apparatus.

(5) The power to make rules under this section is subject to the condition that they shall be made after previous publication.

4. *Power to prohibit sale of fish.*—The Chief Commissioner may by notification prohibit in any specified areas the offering or exposing for sale or barter of any fish killed in contravention of any rule made under section 3 (3) (b) and (c) (1) of this Act.

5. *Penalty.*—The breach of any rule made under section 3 or of any prohibition notified under section 4 shall be punishable with fine which may extend to one hundred rupees, and when the breach is a continuing breach, with a further fine which may extend to ten rupees for every day after the date of the first conviction during which the breach is proved to have been persisted in.

6. *Arrest without warrant for offences under the Act.*—(1) Any Police Officer, or other person specially empowered by the Chief Commissioner in this behalf, may without warrant arrest any person committing in his view a breach of any rule made under section 3 or of any prohibition notified under section 4—

(a) if the name and address of the person are unknown to him, and

(b) if the person declines to give his name and address, or if there is reason to doubt the accuracy of the name and address, if given.

(2) A person arrested under this section may be detained until his name and address have been correctly ascertained:

Provided that no person so arrested shall be detained longer than may be necessary for bringing him before a Magistrate, except under the order of a Magistrate for his detention.

7. *Saving of powers under Indian Fisheries Act.*—Nothing in this Act shall be deemed to limit the powers of the Provincial Government to make rules under section 6 of the Indian Fisheries Act, 1897 (India Act IV of 1897).

8. *Power to compound certain offences.*—(1) The Chief Commissioner may by notification empower a fishery officer by name or as holding an office—

(a) to accept from any person concerning whom evidence exists which if un rebutted would prove that he has committed any fishing offence as described in the first column of the Schedule a sum of money by way of compensation for the offence with regard to which such evidence exists and on the payment of such sum to such officer such person if in custody shall be discharged and no further proceedings shall be taken against him;

- (b) when any property has been seized as liable to confiscation, to release the same without further payment, or on payment of the value thereof as estimated by such officer, and on the payment of such value such property shall be released and no further proceedings shall be taken in respect thereof.

(2) The sum of money acceptable as compensation under clause (a) of subsection (1) shall in no case exceed the amount mentioned in the second column of the Schedule as the amount acceptable as compensation for the particular offence described in the first column of the Schedule.

THE SCHEDULE

(See Sec. 8).

MAXIMUM AMOUNT ACCEPTABLE AS COMPENSATION FOR CERTAIN FISHING OFFENCES UNDER SECTION 8

Description of offence	Maximum amount acceptable as compensation.
1. Fishing with a net having a smaller mesh than that prescribed under the rules made under the Act.	Rupees ten.
2. Fishing without a licence.	Rupees ten.
3. Killing fish of a size or weight less than the standard prescribed under this Act.	Rupees ten.
4. Killing any fish of a prohibited species during a closed season.	Rupees ten.
5. Fishing with any gear or method other than that permitted under the rules.	Rupees ten.
6. Using at any one time more than two of either or any of the gears permitted under the rules.	Rupees ten.
7. Licence-holders employing or engaging non-licensees to help them with their nets while fishing.	Rupees ten.
8. Fishing in prohibited waters.	Rupees ten.
9. Offering or exposing for sale or barter any fish, the sale of which is prohibited in any specified area by a notification issued under section 4 of the Act.	Rupees ten.

[No. 95-J.]

S.R.O. 585.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Bilaspur the Punjab Fisheries Act, 1914 (Punjab Act II of 1914), as at present in force in the State of Punjab, subject to the following modifications, namely:—

- (1) Throughout the Act, except in section 7, for the words "Provincial Government", the words "Chief Commissioner" shall be substituted.
- (2) Throughout the Act, except in the Short title, for the word "Punjab" the word "Bilaspur" shall be substituted.

ANNEXURE

II—THE PUNJAB FISHERIES ACT, 1914.

PUNJAB ACT No. II of 1914.

An Act to extend the Law relating to Fisheries in the Bilaspur.

WHEREAS it is expedient to extend the Law relating to Fisheries in the Bilaspur.

It is hereby enacted as follows:—

1. *Title and extent.*—(1) This Act may be called the Punjab Fisheries Act, 1914.

(2) It extends to the whole of the Bilaspur.

Meaning of terms.—In this Act and the Rules thereunder unless there is something repugnant in the subject or context, the expressions "fish" and "private water" shall have the meanings assigned to them in section 3 of the Indian Fisheries Act, 1897 (India Act IV of 1897).

2-A. Definitions.—In this Act, unless there is anything repugnant in the subject or context—

- (1) "Fishery Officer" means any person whom the Chief Commissioner or any officer empowered by the Chief Commissioner in this behalf may from time to time appoint by name, or as holding an office, to carry out all or any of the purposes of this Act or to do anything required by this Act or any rule made thereunder to be done by a Fishery Officer:

Provided that no police officer below the rank of Sub-Inspector shall be so empowered.

- (2) "Fishing offence" means an offence punishable under this Act or under any rule made thereunder.

3. Prohibition and licensing of fishing in selected waters by rules of Chief Commissioner.—(1) The Chief Commissioner may make rules for the purposes hereinafter in this section mentioned, and, shall in such rules declare the waters, not being private waters, to which all or any of them shall apply.

(2) The Chief Commissioner may by notification apply such rules or any of them to any private water with the consent in writing of the owner thereof and of all persons having for the time being any exclusive right of fishery therein.

(3) Such rules may—

- (a) prohibit fishing except under licence and regulate the granting of such licenses, the fees payable therefor, and the conditions to be inserted therein;
- (b) prescribe seasons in which the killing of any fish of any prescribed species shall be prohibited; and
- (c) prescribe a minimum size or weight below which no fish of any prescribed species shall be killed.

(4) In making any rule under this section the Chief Commissioner may provide for—

- (a) the seizure, forfeiture and removal of any apparatus erected or used for fishing in contravention of the rules, and
- (b) the forfeiture of any fish taken by means of any such apparatus.

(5) The power to make rules under this section is subject to the condition that they shall be made after previous publication.

4. Power to prohibit sale of fish.—The Chief Commissioner may by notification prohibit in any specified areas the offering or exposing for sale or barter of any fish killed in contravention of any rule made under section 3 (3) (b) and (c) (1) of this Act.

5. Penalty.—The breach of any rule made under section 3 or of any prohibition notified under section 4 shall be punishable with fine which may extend to one hundred rupees, and when the breach is a continuing breach, with a further fine which may extend to ten rupees for every day after the date of the first conviction during which the breach is provided to have been persisted in.

6. Arrest without warrant for offences under the Act.—(1) Any Police Officer, or other person specially empowered by the Chief Commissioner in this behalf, may without warrant arrest any person committing in his view a breach of any rule made under section 3 or of any prohibition notified under section 4—

- (a) if the name and address of the person are unknown to him, and
- (b) if the person declines to give his name and address, or if there is reason to doubt the accuracy of the name and address, if given.

(2) A person arrested under this section may be detained until his name and address have been correctly ascertained:

Provided that no person so arrested shall be detained longer than may be necessary for bringing him before a Magistrate, except under the order of a Magistrate for his detention.

7. *Saving of powers under Indian Fisheries Act.*—Nothing in this Act shall be deemed to limit the powers of the Provincial Government to make rules under section 6 of the Indian Fisheries Act, 1897 (India Act IV of 1897).

8. *Power to compound certain offences.*—(1) The Chief Commissioner may by notification empower a fishery officer by name or as holding an office—

(a) to accept from any person concerning whom evidence exists which if un rebutted would prove that he has committed any fishing offence as described in the first column of the Schedule a sum of money by way of compensation for the offence with regard to which such evidence exists and on the payment of such sum to such officer such person if in custody shall be discharged and no further proceedings shall be taken against him;

(b) when any property has been seized as liable to confiscation, to release the same without further payment, or on payment of the value thereof as estimated by such officer, and on the payment of such value such property shall be released and no further proceedings shall be taken in respect thereof.

(2) The sum of money acceptable as compensation under clause (a) of sub-section (1) shall in no case exceed the amount mentioned in the second column of the Schedule as the amount acceptable as compensation for the particular offence described in the first column of the Schedule.

THE SCHEDULE

(See Sec. 8)

MAXIMUM AMOUNT ACCEPTABLE AS COMPENSATION FOR CERTAIN FISHING OFFENCES UNDER SECTION 8.

Description of offence	Maximum amount acceptable as compensation
1. Fishing with a net having a smaller mesh than that prescribed under the rules made under the Act.	Rupees ten.
2. Fishing without a licence.	Rupees ten.
3. Killing fish of a size or weight less than the standard prescribed under this Act.	Rupees ten.
4. Killing any fish of a prohibited species during, a closed season.	Rupees ten.
5. Fishing with any gear or method other than that permitted under the rules.	Rupees ten.
6. Using at any one time more than two of either or any of the gears permitted under the rules.	Rupees ten.
7. Licence-holders employing or engaging non-licensees to help them with their nets while fishing.	Rupees ten.
8. Fishing in prohibited waters.	Rupees ten.
9. Offering or exposing for sale or barter any fish, the sale of which is prohibited in any specified area by a notification issued under section 4 of the Act.	Rupees ten.

[No. 96-J.]

A. N. SACHDEV, Under Secy.

MINISTRY OF FINANCE

ECONOMIC AFFAIRS DEPARTMENT

New Delhi, the 20th April 1951

S.R.O. 586.—In exercise of the powers conferred by sub-section (1) of section 52 of the Banking Companies Act, 1949 (X of 1949), read with section 23 of the General Clauses Act, 1897 (X of 1897), the Central Government is pleased to direct that the following amendments shall be made in the Banking Companies

Notes, 1949, the same having been previously published as required by sub-section (3) of the former section, namely:—

1. In the said Rules and the Forms annexed thereto, wherever an expression mentioned in the first column of the Table hereunder printed occurs there shall be substituted therefor the expression set opposite to it in the second column of that Table.

TABLE

(1)	(2)
'Province'	State
'Provincial'	
'Province or State'	
'In a province of India'	In India
'within any province of India'	
'in any province of India'	
'in the provinces of India'	
'elsewhere than in a province of India'	outside India
'outside the provinces of India'	

II. In the said Rules—

1. In rule 2, sub-rule (2) shall be omitted.

2. For rule 14 the following Rule shall be substituted, namely:—

“14. Publication of approved currencies and securities:—

(1) The Reserve Bank shall, not later than one month from the commencement of these rules, by a notification in the Gazette of India, publish for the purpose of section 25 of the Act a list of currencies in which export bills drawn in, and import bills drawn on and payable in, India may be expressed.

(2) The Reserve Bank may, by notification in the Gazette of India, publish for the purpose of section 25 of the Act, a list of securities approved by it.

(3) Any alteration in the lists referred to in sub-rules (1) and (2) shall also be published in the Gazette of India.

(4) An alteration, adding a currency or security to the list, shall take effect from the date of publication of the alteration while an alteration, omitting a currency or security from the list, shall take effect at the expiry of three months from the date of publication of the alteration.”

3. To Rule 15 the following Explanation shall be added, namely:—

“Explanation:—For the purposes of this rule, the expression ‘newspaper’ means any newspaper or journal published at least once a week, but does not include a journal other than a banking, commercial, financial or economic journal”

III. In the Forms annexed to the said Rules—

1. The foot notes in Forms I, IV, V, VI, VII, VIII, IX, X, XII and XIII, is so far as they relate to Acceding States, shall be omitted.

2. In the first foot note to Form I, before the letters “etc.” the following words shall be inserted, namely:—

“fees and allowances to directors”.

3. In Forms V, VI, VII and VIII, in item 2, for the words “Place of registration” the words “Place of location of the registered office” shall be substituted.

4. In Form X—

(i) for the item “B. Minimum amount of assets required to be held under section 24 of the Act..... (20 per cent. of A (3)” the following item shall be substituted, namely:—

“B. Minimum amount of assets required to be held under section 24 of the Act [20 per cent. of A (3)].”

(ii) In the foot note (a), for the brackets, figures and word "(XVI of 1881)" the following shall be substituted, namely:—

"(XXVI of 1881)".

5. In Form XI, under the heading "C. Assets in the Provinces of India" for item 12 the following item shall be substituted, namely:—

"12. Securities approved by the Reserve Bank under section 25 (3) (a) of the Act and not included in any of the above item."

6. In Form XII in the heading of column 4 for the letters "etc." the following shall be substituted, namely:—

"or other accounts of the nature of deposits".

7. In Form XIII—

(i) Under the heading "A. Liabilities in the Provinces of India" for item 5 the following item shall be substituted, namely:—

"5. Borrowings from other banking companies".

(ii) Under the heading "B. Assets in the Provinces of India" for item 8 (1) the following item shall be substituted, namely:—

"(1) In Securities (including treasury bills) of—

(a) Central Government,

(b) any State Government"

(iii) Under the heading "B. Assets in the Provinces of India" for item 10 the following item shall be substituted, namely:—

"10. Due from banking companies."

(iv) In the second foot note, for the brackets, figures and word "(XVI of 1881)" the following shall be substituted, namely:—

"(XXVI of 1881)".

(v) In the third foot note, for the words "the Provinces of India and Acceding States to which the Act extends" the word "India" shall be substituted.

[F.4(93)-F.1/50.]

S. K. SEN, Dy. Secy.

RESERVE BANK OF INDIA

Bombay, the 12th April, 1951

S.R.O. 587.—In pursuance of sub-section (2) of Section 8 of the Foreign Exchange Regulation Act, 1947 (VII of 1947), the Reserve Bank hereby directs that the following amendment shall be made in the notification of the Reserve Bank of India No. F.E.R.A.105/51-R.B., dated the 27th February 1951, (S.R.O. No. 263), namely:—

In sub-clause (b) of clause 2 of the said notification, for the word and figures 'Rs. 100', the word and figures 'Rs. 50', shall be substituted.

[F.E.R.A.108/51-R.B.]

B. RAMA RAO, Governor.

MINISTRY OF FINANCE (REVENUE DIVISION)

STAMPS

New Delhi, the 23rd April 1951.

S.R.O. 588.—In exercise of the powers conferred by sections 9 and 75 of the Indian Stamp Act, 1899 (II of 1899), the Central Government hereby extends to the States of Tripura, Vindhya Pradesh and Manipur all Rules made, and orders issued in exercise of the powers conferred by said sections by the Central Government, and in force in the rest of India on the 15th day of April 1950.

[No. 4.]

CUSTOMS

New Delhi, the 28th April, 1951

S.R.O. 589.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby exempts Aloe fibre imported into India from the customs duty leviable thereon.

[No. 47.]

D. P. ANAND, Dy. Secy.

CUSTOMS

New Delhi, the 28th April 1951

S.R.O. 590.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of the Government of India late Finance Department (Central Revenues) Notification No. 49-Customs, dated the 7th July 1934, the Central Government hereby exempts articles (not being articles the sending of which by post is prohibited by the Universal Postal Convention for the time being in force) brought into India by post in the course of transmission to a destination neither in India, nor in a French or Portuguese Settlement adjacent to or surrounded by India, from the operation of any prohibition heretofore or hereafter imposed or deemed to have been imposed under the said section.

[No. 46.]

K. R. P. AIYANGAR, Joint Secy.

MINISTRY OF COMMERCE AND INDUSTRY

Bombay, the 17th April 1951

S.R.O. 591.—In pursuance of clause 6 of the Cotton Control Order, 1950, I hereby direct that the following further amendment shall be made in the Textile Commissioner's notification No. S.R.O. 384, dated the 19th March, 1951, namely:—

In the said notification in the names of persons after entry No. 19, the following entries shall be inserted, namely:—

- "20. Y. Ellaiah Chetty K. C. Venkatasubbaiah,
- 21. Sanjeevappa Rangappa,
- 22. Rangaswamy Sanjeevanath."

[CX2(16)/CTN/26.]

S.R.O. 592.—In exercise of the powers conferred on me by clause 14(I) of the Cotton Control Order, 1950, I hereby direct that the following further amendment shall be made in the Textile Commissioner's notification No. S.R.O. 385, dated the 19th March, 1951, namely:—

In the said notification in the names of persons after entry No. 19, the following entries shall be inserted, namely:—

- "20. Y. Ellaiah Chetty K. C. Venkatasubbaiah,
- 21. Sanjeevappa Rangappa,
- 22. Rangaswamy Sanjeevanath."

[CX2(16)/CTN/27.]

CORRIGENDUM

Bombay, the 17th April 1951

S.R.O. 593.—In each of the Textile Commissioner's notifications Nos. S.R.O. 386 and S.R.O. 387 published at pages 223 and 224 of the *Gazette of India Extraordinary*, Part II, Section 3, dated the 19th March 1951,—

- (i) against entry No. 10, for the name
"V. K. Palaniappa & Co." read "V. K. N. Palaniappa & Co.";
- (ii) against entry No. 13, for the name
"K. Muthu Naidu" read "K. Muthu Naidu & Co."

[CX2(16)/CTN/28.]

T. P. BARAT, Textile Commissioner.

New Delhi, the 19th April 1951

S.R.O. 594.—In exercise of the powers conferred by sections 4, 7, 9, 10, 13 and 19 of the Supply and Prices of Goods Act, 1950 (No. LXX of 1950), and all other powers enabling it in this behalf the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Ministry of Industry and Supply No. S.R.O. 503, dated the 2nd September 1950, namely:—

For sub-clause (i) of clause (b) of the said notification the following shall be substituted:—

"Every dealer and producer shall before the 7th day of each month send to the Deputy Development Officer (Drugs), Shahjahan Road, New Delhi, a statement showing the opening stocks at the beginning of the previous month, stocks acquired during that month, the total quantities sold, with particulars of sales of 5 tons and above made by him, during the month and the balance of stocks at the end of the month. Particulars of sales shall include in respect of each transaction, the quantities sold, and the name and address of the buyer."

ORDER

ORDERED that a copy of the above Notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir); all Chief Commissioners of Part C States including Andaman and Nicobar Islands; all Ministries of the Government of India; Cabinet Secretariat; Prime Minister's Secretariat; Secretary to the President; the Indian Trade Commissioners; all Indian Embassies; the High Commissioner for India, London; His Majesty's Trade Commissioner in India; all Chambers of Commerce and Associations; the Director General of Commercial Intelligence and Statistics, Calcutta; the High Commissioner for India in Pakistan; Karachi; the High Commissioner for Pakistan in India, New Delhi; the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India*.

[PC-15(1)/50.]

New Delhi, the 20th April 1951

S.R.O. 595.—In exercise of the powers conferred by Section 22 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), the Central Government hereby directs that the powers exercisable by it under clauses (a) and (b) of section 13, sub-section (1) of section 16, section 17 and section 19 of the said Act shall be exercisable also by the Government of the State of Bihar.

ORDER

ORDERED that a copy of the above Notification be communicated to all Governments of Parts A and B States (except Jammu and Kashmir); all Chief Commissioners of Part C States including Andaman and Nicobar Islands; all Ministries of the Government of India; Cabinet Secretariat; Prime Minister's Secretariat; Secretary to the President; the Indian Trade Commissioners; all Indian Embassies; the High Commissioner for India, London; His Majesty's Trade Commissioner in India; all Chambers of Commerce and Associations; the Director General of Commercial Intelligence and Statistics, Calcutta; the High Commissioner for India in Pakistan, Karachi; the High Commissioner for Pakistan in India, New Delhi; the Secretary, Indian Tariff Board and the Secretary, Planning Commission.

ORDERED also that it be published in the *Gazette of India*.

[No. PC-2(14)/50.]

B. B. SAKSENA, Dy. Secy.

IMPORT TRADE CONTROL

New Delhi, the 20th April 1951

S.R.O. 596.—In pursuance of the notification of the Government of India in the late Department of Commerce No. 23-ITC/43, dated the 1st July, 1943, as continued in force by the Imports and Exports (Control) Act, 1947 (XVIII of 1947), the Central Government is pleased to direct that the following further amendment shall be made in Open General Licence No. XXI published with the notification of the Government of India in the late Ministry of Commerce No. 53-ITC/51, dated

the 5th November, 1950, as subsequently amended to date, and that this amendment be published for general information; namely:—

In Schedule 'A' appended to the said Open General Licence No. XXI against the existing entry "Pyrex Tubing and rods" the following description of goods shall be substituted:—

"Tubing and rods of hard glass like Pyrex, Hysil, Jena & Monex."

[No. 16-ITC/51.]

R. DORAISWAMY, Dy. Secy.

New Delhi, the 28th April 1951

S.R.O. 597.—In exercise of the powers conferred by sub-clause (a) of Clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following further amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply, No. I(1)-4(41), dated the 7th September 1950, namely:—

To the Schedule annexed to the said Notification, the following entries shall be added, namely:—

"The Director of Controlled Commodities, Government of Travancore Cochin, Trivandrum.

The Director of Agriculture, Government of Travancore Cochin, Trivandrum."

[No. I(1)-4(76).]

S.R.O. 598.—In exercise of the powers conferred by sub-clause (b) of Clause 2 of the Iron and Steel (Scrap Control) Order, 1943, the Central Government is pleased to direct that the following further amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply, No. I(1)-4(78)A, dated the 6th January 1951, namely:—

To the Schedule annexed to the said Notification, the following entries shall be added, namely:—

"The Director of Controlled Commodities, Government of Travancore Cochin, Trivandrum.

The Director of Agriculture, Government of Travancore Cochin, Trivandrum."

[No. I(1)-4(76)A.]

N. R. REDDY, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

New Delhi, the 28th April 1951

S.R.O. 599.—In exercise of the powers conferred by clause 2(a) of Vegetable Oil Products Control Order, 1947 as subsequently amended *vide*, Ministry of Agriculture Notification No. 2-VP(2)/48, dated the 9th October, 1948, the Vegetable Oil Products Controller for India is hereby pleased to confer upon the officers specified in Col. 2 of the schedule hereto annexed in respect of their respective jurisdiction in the State mentioned in Column 1, the powers of the Controller under clause 8-A of the said Order.

THE SCHEDULE

State (1)	Designation of authority. (2)
PEPSU	1. Director of Civil Supplies, PEPSU, Patiala. 2. District Magistrates. 3. District Food and Civil Supplies Officers.

[No. 2-VP(2)/51.]

N. T. MONE, Vegetable Oil Products Controller.

MINISTRY OF EDUCATION**ARCHÆOLOGY***New Delhi, the 21st April 1951*

S.R.O. 600.—In exercise of the powers conferred by sub-section (1) of section 20 of the Ancient Monuments Preservation Act, 1904, (VII of 1904), the Central Government is pleased to confirm its notification in the Ministry of Education No. F. 4-9/50-A.2, dated the 14th December, 1950, declaring the mound described therein (Pawar's Gadhi), to be a protected area within the meaning of the said Act.

[No. F. 4-9/50-A.2.]

BINA CHATTERJEE, Under Secy.

MINISTRY OF HEALTH*New Delhi, the 17th April 1951*

S.R.O. 601.—In pursuance of sub-section (1) of section 239 of the Constitution, the President hereby directs that the powers of a State Government under sections 20 and 21 of the Drugs Act, 1940 (XXIII of 1940), shall, in the States of Bhopal, Bilaspur, Himachal Pradesh, Kutch, Manipur, Tripura and Vindhya Pradesh be exercised by the Chief Commissioners of the respective States.

[F. 1-8/50-D.S.]

J. N. SAKSENA, Under Secy.

MINISTRY OF REHABILITATION*New Delhi, the 10th April 1951*

S.R.O. 602.—In pursuance of sub-section (1) of section 6 of the Influx from Pakistan (Control) Act, 1949 (XXII of 1949), and in supersession of the notification of the Government of India in the Ministry of Rehabilitation No. S.R.O. 480, dated the 12th August 1950, the Central Government hereby empowers an Assistant Sub-Inspector and a Head Constable of Police in the States of Punjab and Rajasthan, and an Assistant Sub-Inspector of Police or any other officer of Police of corresponding rank in the rest of India to exercise the powers referred to in the said sub-section.

[No. III/PMT(X-1)/51-N(4).]

V. D. DANTYAGI, Joint Secy.

MINISTRY OF COMMUNICATIONS*New Delhi, the 24th April, 1951*

S.R.O. 603.—The following draft of a further amendment to the Indian Aircraft Rules, 1920, which it is proposed to make in exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), is published, as required by section 14 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 1st August 1951. Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In rule 64 of the said Rules, the following words shall be omitted:—

“except the State of Hyderabad”.

[10-A/2-48.]

P. K. ROY, Dy. Secy.

MINISTRY OF TRANSPORT

PORTS

New Delhi, the 18th April 1951

S.R.O. 604.—In pursuance of sub-section (2) of section 6 of the Calcutta Port Act, 1899 (Bengal Act III of 1890), the names of the following persons who have been elected as Commissioners of the Port of Calcutta are hereby published for general information:—

- | | |
|-----------------------|--|
| (1) Shri F. R. Sarkar | } Elected by the Bengal National
Chamber of Commerce. |
| (2) Shri S. C. Gupta | |
| (3) Shri N Roy | |

[9-P.I.(22)/51.]

T. S. PARASURAMAN, Dy. Secy.

MINISTRY OF WORKS, PRODUCTION & SUPPLY

New Delhi, the 20th April 1951

S.R.O. 605.—The following draft of a further amendment to the Explosives Rules, 1940, which it is proposed to make in exercise of the powers conferred by sections 5 and 7 of the Indian Explosives Act, 1884 (IV of 1884), is published as required by section 18 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 31st May 1951.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In the said Rules—

In the table below sub-rule (1) of rule 106, the follow-entry shall be added at the end namely:—

"All Inspectors of Factories in the State of Madras in respect of premises licensed in form "I" of the Explosives Rules, 1940

The respective areas over which their authority extends "

[M-103(2)]

New Delhi, the 23rd April 1951

S.R.O. 606.—In exercise of the powers conferred by sub-section (3) of section 3 of the Coal Mines Safety (Stowing) Act, 1939 (XIX of 1939), the Central Government, on the recommendation of the Indian Mining Association, hereby nominates Mr. W. H. S. Michelmores of Messrs. Bird and Co., Ltd., Calcutta, as member of the Coal Mines Stowing Board, *vice* Mr. J. Latimer, resigned.

[No. M 8(15).]

N. P. DUBE, Under Secy.

New Delhi, the 23rd April 1951

S.R.O. 607.—In exercise of the powers conferred by section 4 of the Essential Supplies (Temporary Powers), Act, 1946 (XXIV of 1946), the Central Government hereby directs that the powers conferred on it by section 3 of the said Act, shall, in relation to fixing of the prices of salt, be exercisable also by the Commissioner of Civil Supplies, Madras, and any Collector in the State of Madras, subject to any directions of the State Government.

13 G of I

[No. Salt-9(1)/49.]

B. B. PAYMASTER, Dy. Secy

MINISTRY OF LABOUR

New Delhi, the 23rd April 1951

S.R.O. 608.—In exercise of the powers conferred by section 7, of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (XLVI of 1948), the Central Government hereby directs that the following further amendments shall be made to the Coal Mines Provident Fund Scheme published with the notification of the Government of India in the Ministry of Labour No. PF, 15(5)/48, dated the 11th December, 1948, namely:—

1. In the said Scheme—

(a) In the "Explanation" to sub-paragraph (2) of paragraph 25, the words "restricted to the maximum" shall be omitted.

(b) In Table I annexed to paragraph 27, after the words and figures "Over Rs. 200" the words and figures "and upto Rs. 240" shall be added and the following further entries shall be made in columns 1-4 of the Table, namely:—

"Over Rs. 240-	1/16th of basic wages	1/16th of basic wages	2/16th of basic wages rounded off to the nearest rupee.,
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(c) In proviso to clause (a) of sub-paragraph (1), of paragraph 63, the word "or" shall be omitted and the following shall be added, namely:—

"unless he became a member of the Fund before the 1st October, 1948, in which case, no such forfeitures will be made and the full amount refunded, or".

[No. PF.2(2)/51.]

S. NEELAKANTAM, Dy. Secy.